IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

MONDAY, THE 19TH FEBRUARY 2007 / 30TH MAGHA 1928

Bail Appl..No. 824 of 2007()

CRIME NO.84/05 OF PAYANGADI POLICE STATION

PETITIONER/6TH ACCUSED:

K.C. FAROOQUE, S/O. MUHAMMED KUNHI,
AGED ABOUT 29 YEARS, MUNDAYILE PURAYIL,
MATTOOL, KANNUR DISTRICT.

BY ADV. SRI.V.RAJAGOPAL

RESPONDENTS: COMPLAINANT:

STATE OF KERALA,
REPRESENTED BY PAYANGADI POLICE STATION
THROUGH PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 19/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 824 OF 2007

Dated this the 19th day of February, 2007

O R D E R

In this Petition filed under Sec. 438 Cr.P.C. the petitioner, who is the 6th accused in Crime No.84/2005 of Payangadi Police Station for an offence punishable under Sec.153A read with section 34 I.P.C., seeks anticipatory bail.

2. I heard the learned counsel for the petitioner and the learned Public Prosecutor.

3. Having regard to the nature of the allegations levelled against the petitioner and the other circumstances of the case, I am inclined to grant anticipatory bail to the petitioner. Accordingly, a direction is issued to the officer-in-charge of the police station concerned to release the petitioner on bail for a period of one month in the event of his arrest in connection with the above case on his executing a bond for Rs. 10,000/- (Rupees ten thousand only) with two solvent sureties each for the like amount to the satisfaction to the said officer and subject to the following conditions:

a. Petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

b. The petitioner shall make himself available for interrogation as and when required by the Investigating Officer.

c. The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

d. Petitioner shall not commit any offence while on bail.

e. Petitioner shall surrender before the Magistrate concerned and seek regular bail in the meanwhile.

If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This application is allowed as above.

(V. RAMKUMAR, JUDGE)

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